

HOMELAND DEFENSE/ NEIGHBORHOOD IMPROVEMENT BOND OVERSIGHT BOARD MINUTES

9-26-06 – 6:00 P.M.
CITY OF MIAMI
CITY HALL CHAMBERS
3500 Pan American Drive
MIAMI, FLORIDA 33133

The meeting was called to order at 6:13 p.m., with the following members found to be

Present: Rolando Aedo
Kay Hancock Apfel
Luis Cabrera
Mariano Cruz
Luis De Rosa
Robert A. Flanders (Chairman)
Walter Harvey
David Kubiun
Gary Reshefsky (in at 6:23 p.m.)

Absent: Elaine Black
Eileen Broton
David E. Marko
Laurinus Pierre
Jami Reyes
Manolo Reyes (Vice Chairman)

ALSO PRESENT: Rafael O. Diaz, Deputy City Attorney
Gary Fabrikant, CIP Department
Zimri Prendes, CIP Department
Ed Blanco, Parks & Recreation
Ed Herald, CIP Department
Stephen Bogner, Public Facilities
Jose Lago, CIP Department
Jim Brittain, CIP Department
Marcel Douge, CIP Department
John De Pazos, CIP Department
Teri E. Thomas, City Clerk's Office

September 26, 2006

I. **APPROVAL OF THE MINUTES OF THE MEETINGS OF MAY 23, 2006 JUNE 27, 2006 AND JULY 25, 2006**

HD/NIB MOTION 06-14

A MOTION TO APPROVE THE MINUTES OF THE MEETING OF MAY 23, 2006.

MOVED: R. Aedo
SECONDED: W. Harvey
ABSENT: E. Broton, L. Pierre, G. Reshefsky, J. Reyes, M. Reyes

Note for the Record: Motion passed by unanimous vote of all Board Members present.

HD/NIB MOTION 06-15

A MOTION TO APPROVE THE MINUTES OF THE MEETING OF JUNE 27, 2006.

MOVED: W. Harvey
SECONDED: K. Apfel
ABSENT: E. Broton, L. Pierre, G. Reshefsky, J. Reyes, M. Reyes

Note for the Record: Motion passed by unanimous vote of all Board Members present.

HD/NIB MOTION 06-16

A MOTION TO APPROVE THE MINUTES OF THE MEETING OF JULY 25, 2006.

MOVED: R. Aedo
SECONDED: W. Harvey
ABSENT: E. Broton, L. Pierre, G. Reshefsky, J. Reyes, M. Reyes

Note for the Record: Motion passed by unanimous vote of all Board Members present.

II. OLD BUSINESS:

- Additional Increase in Contract for Enhancements to NW 14th Street Improvements Project.

<p>NAME OF PROJECT: <u>ADDITIONAL INCREASE IN CONTRACT FOR ENHANCEMENTS TO NW 14TH STREET IMPROVEMENT PROJECT</u></p> <p>TOTAL DOLLAR AMOUNT: <u>\$388,526 (only \$126,933 is from District 1 Neighborhood Quality of Life Improvements)</u></p> <p>SOURCE OF FUNDS: <u>District 1 Neighborhood Quality Of Life Improvements</u></p> <p>ACCOUNT CODE(S): <u>CIP # 311711</u></p> <p>DESCRIPTION OF PROJECT: <u>This change order is needed to cover additional enhancements requested for the NW 26 Avenue. The enhancements will include additional turf block and landscaping along this corridor which were not included in the original contract. (See previously approved item dated 9/21/04 attached).</u></p>

HD/NIB MOTION 06-17

A MOTION TO APPROVE THE AUDIT COMMITTEE'S RECOMMENDATION TO FUND THE ADDITIONAL INCREASE IN CONTRACT FOR ENHANCEMENTS TO NW 14TH STREET IMPROVEMENTS PROJECT.

MOVED: W. Harvey
SECONDED: L. De Rosa
ABSENT: E. Broton, L. Pierre, G. Reshefsky, J. Reyes, M. Reyes

Note for the Record: Motion passed by unanimous vote of all Board Members present.

- Gary Fabrikant addresses the Board to provide an update on Roberto Clemente Park Building Renovations and the Brentwood Village Project.

Chairman Flanders: OK. The next item is you're going to give us, Gary, an update on Robert Clemente Park Building Renovations and Brentwood Village Project.

Gary Fabrikant: Correct.

Chairman Flanders: Thank you.

Mr. Fabrikant: On Brentwood Village, when we had -- I believe it was the last board meeting, we gave -- provided an update and the issue there was that there is a million dollars set aside for this project that is currently not moving forward. It's not moving forward because of the fact that the developer in the area has not made a decision on how he's going to proceed with his development. At this point in time, we have brought it up with the Commissioner of the district, and she has not yet made any decision of reallocating those funds, so until she makes that decision, those funds will remain where they are. With regard to Roberto Clement Park building. In the -- approximately two meetings ago, we brought before the Board the fact that, during construction demolition work, extensive termite damage was found to the building, and we were in the process of having a report prepared as to the extent of the damage and the best course of action to take. The extent of damage is very extensive. Basically, the building cannot be renovated as-is. We are looking at the fact that the building will have to be demolished and rebuilt. The cost differential is within about \$300,000 between repairing and renovating the existing structure, which does not

meet the needs of the Parks Department or the community, versus rebuilding the facility in a manner that will have a layout that will allow the Parks Department to operate additional services from the facility. Currently, we have money available for the redesign. The construction of that redesign will be predicated on the availability of second series dollars from the Homeland Defense bond.

Luis De Rosa: Make that remark again, referring to construction cost money. What's that again?

Mr. Fabrikant: The construction cost we're looking at right now to renovate -- this was originally a half a million -- approximately a half a million dollar renovation project. Now we are probably looking at the neighborhood of about one point -- and these are estimates at this point, very rough estimates -- 1.8, \$1.9 million to completely gut and renovate the building, versus building a new one at about \$2.3 million.

Mr. De Rosa: I mean, we're talking about a one-story building. We're not talking a two-story building or a three-story building. I know -- is it a historical site by any chance?

Mr. Fabrikant: No. It's not a historical site. What we are dealing with is the marketplace. The marketplace right now for construction is basically unprecedented. Costs of doing construction right now is very high. The dollars are not going as far as we would like.

Mr. De Rosa: Who do -- then what is it going to take to get this project moving forward? And I'll tell you why. We held an event with the Marlins on July -- I think it was July 22, and we had in from Puerto Rico Luis Clemente, and we were embarrassed to bring him over to Roberto Clemente. We sort of said no. We cancelled the meeting. That's just one. We had an event there about two weeks ago. We had the Mets catcher, Ramon Castro in town, and he came over, and he was just really amazed at the delay because he's been there before. I mean, it's been this way for over a year now. I mean, people are actually operating out of outhouses to go to the bathroom. I mean, you know, it's really degrading and it really sends a bad message to the community. By the way, we had set up games between the Chicago Police, through the Mayor's Office. We organized it, and we cancelled that game. We had NYPD in town. We had the police from Puerto Rico. We were bringing Orange County Sheriff's Department, and we just cancelled everything. We had close to about 500 people at a game about two weeks ago, where we had players from Jacksonville, from Tampa, and from other towns, and it was just embarrassing. It just sends a negative, ugly message about the City of Miami.

Mr. Fabrikant: We're in a situation that could not be foreseen until you get into demolition work. At this point in time, the only thing we can do is issue a Request for Qualifications to hire a new architectural and engineering firm to start a redesign of the facility. We cannot use the existing firm that did the initial design, and the reason for that is the cost of the new construction will exceed \$1 million, and in order to be in compliance with Florida statute, we must issue a separate solicitation to hire a design firm.

Mr. De Rosa: And how long is that going to take?

Mr. Fabrikant: That typically takes about four to six months to go through that process. As I said, the funding is available for the design. Construction funding is currently not available, and as I said, will be based on the availability of second series dollars.

Mr. De Rosa: And when is that expected?

Mr. Fabrikant: Right now we're probably looking at the middle of next year for seeking the new bond dollars.

Luis Cabrera: Let me ask you a question. When we did the design in that park, they didn't take this into -- they didn't review what the situation was with that building before we did the design phase?

Mr. Fabrikant: No. They do an initial evaluation of the building. What they don't do -- no architect typically does -- is destructive testing, where they tear down walls. They did limited openings in the ceiling to view any potential damage within the rafters and the trusses. They saw some. They did not see an extensive amount of damage. That only was a visible -- once they tore the ceiling down and started tearing walls down, they found extensive truss and stud damage. There was both old termite damage and active termite damage. We're running into this situation throughout the Parks Department and other departments due to deferred maintenance over many years, and we have this in another project we'll be updating you on a little bit later. We anticipate it in a number of other locations also.

Mr. Cabrera: Gary, how much have we spent before we got to this phase? Where are we at?

Mr. Fabrikant: Between -- I don't have that figure for you. I'll get that figure for you. I don't want to take a guess at this point. We've spent a considerable amount of dollars, but I don't have the exact amount with me.

Mr. Cabrera: I don't come to the board meetings as often as I should, but I get frustrated when I come because it seems that we keep diving into the pool without looking to see if the pool's filled with water.

Mr. Fabrikant: As part of construction, unfortunately, there are certain things you cannot anticipate.

Mr. Cabrera: No. When you plan strategies, you know, you plan for what could or should happen. I mean, you plan for what's going to happen and what could happen. I mean, I don't understand why we spent all this money to get to the point where we're at now, which is money that, if you would have planned, then you could have used it towards the construction costs. The problem is it brings a really bad image to this board. They were saying that the federal government or the state -- correct me where I'm wrong. Someone was looking into the bonds money because we haven't spent it in the time that we should be spending, and then issues like this happen where we're not foreseeing things and we're not planning ahead, and it makes the board really look like, you know, we're at fault when we're not.

Chairman Flanders: Well, let me dive in here, Gary. Two things: Number one, I think after 25 years of deferred maintenance in the City that, of course, we're going to open some projects up -- Ed, perhaps you can help us on this. When you open up a building and you start to renovate it -- and only when you open it up -- do you find out that the trusses are termite-ridden, that the foundation is not applicable, that the plumbing is gone, and so on and so forth, and I don't want to get bogged down on this one particular project because we could put the genesis of the project together of what was approved, what happened, and then the delay, but Ed, could you tell us --?

Ed Blanco: Mr. Chairman, that essentially is correct. We're having problems with another park, in Range Park, where we're trying to renovate the restroom building and the pool. Sometimes, you know, you make estimates of what to repair, but when you get into constructing and taking apart the building, you find out that you need to replace all the piping and you need to replace other things. You have unanticipated costs that come up when you start doing construction of a building that wasn't foreseen when the bid estimate was made,

so you set the budget for a certain amount, and then these unforeseen costs come around, and then you have to deal with that afterwards, so that's probably what happened at Roberto Clemente.

Chairman Flanders: So you could fairly characterize that, in this Administration, it is not happening -- in other words, maintenance is happening. Deferred maintenance is almost a bad term for what took place in the past. It was no maintenance, and we only put out fires when a pipe broke or when a roof finally was breeched, and as far as the board looking bad, I'm going to bring that up at the end of the meeting in my open agenda items.

Mr. Blanco: Barely four years ago -- four, maybe five years ago -- our Parks Department budget was about \$11 million. This Thursday, at the City Commission, we're presenting our Parks Department budget at \$19.9 million. There's quite a difference there. For many years, we had no money to do the proper maintenance in our Parks system that we really needed to do. I'm talking about for decades, so you have to add that into the equation here, so we have the oldest parks in the entire County, and actually we're going to come across the situations where some of these parks facilities just have not had the proper maintenance that they deserve to have.

Chairman Flanders: Why don't we make this a demonstration project? This Board is empowered to make recommendations, and quite frankly, why don't you come back next month -- or even disseminate it before that to the audit committee, Gary -- of what we can do. Now if we know that we are going to be getting the second tranche somewhere around the middle of next year, that's about nine months. I'm sure we could compress -- because this is my background and I worked with architects and designers my entire life -- the amount of time it takes to design if we make a priority, put it on the front burner, and I'm sure that we could come up with something better than a five-year scenario with this and make CIP look really good.

Mr. Fabrikant: That's no problem. We can do that. We will come back to you by no later than the next board meeting with an overview of what can be done, and we'll try to get that out to you before the next board meeting.

[Later...]

Walter Harvey: Mr. Chair.

Chairman Flanders: Yes.

Mr. Harvey: Before we move to the updates, I was thinking about this Clemente project and some of the comments that were made, and if you don't mind, if I could just share my thoughts.

Chairman Flanders: On the prior item?

Mr. Harvey: Yeah, on the prior item.

Chairman Flanders: Absolutely.

Mr. Harvey: I was just wondering if it's possible -- you mentioned the possibility of using it as a demonstration project --

Chairman Flanders: Wait. Are you talking about Little Haiti or are you talking about the --

Mr. Harvey: Clemente.

Chairman Flanders: -- Roberto Clemente?

Mr. Harvey: Roberto Clemente.

Chairman Flanders: Excellent.

Mr. Harvey: And what I was wondering is, given the importance of it and what has transpired so far, if we could have the staff person that is responsible for this particular project, for that person to report to the Board, make a recommendation at the next meeting, and then each month after, maybe give us a report and an update on this particular project until its complete.

Chairman Flanders: I was under the impression that we had asked Gary to actually not even wait until the next board meeting a month from now, but to report to the Audit Committee and get that process into motion immediately, but absolutely, until it's solved.

Mr. Fabrikant: Yes.

Mr. Harvey: And the monthly updates.

Mr. Fabrikant: We will do that. As we said earlier, we will go back to the Audit Committee before the next meeting to give a plan of action of how the project can proceed, as well as come back to the full board at the next meeting and provide an update.

Chairman Flanders: Well, you know, it's a great suggestion, Walter, and I'll tell you, having, like I said, attended both days of the Mayor's forum, what I heard from the mayors all over South America, Central America, the Caribbean, as well as the United States, is don't wait for it to happen; make it happen, even if it's out of your hands because if you wait for it to happen, it's not going to happen, and I think demonstration project is an excellent name for this. We can show how good we are, what we can really do when we have the desire, so Gary, it's in your ball court.

Mr. Reshefsky: Mr. Chairman -- Bob, could I ask you --

Chairman Flanders: Yes.

Mr. Reshefsky: -- add something to what Walter said? You know, we've been at this now for five years. This is --

Chairman Flanders: Four years.

Mr. Reshefsky: Is it -- '06 to '01, right? It's --

Chairman Flanders: No, no, no, no. We didn't start until 2002.

Mr. Reshefsky: 2002, OK.

Chairman Flanders: Right.

Mr. Reshefsky: OK, yeah.

Chairman Flanders: We weren't kicked off until 2002.

Mr. Reshefsky: Well, four years, but you know --

Chairman Flanders: It seems like a long time.

Mr. Reshefsky: It does seem like a long time, and we're at the -- you know, we're at a point where maybe this is an opportunity to get up out of this chamber and take our meetings on the road. I don't know what kind of facilities they have at Clemente Park. You know, we've talked about it for quite a while. I don't know if they have any meeting facilities. I know they have an administration building, but there might be an opportunity -- you know, as we see some of these projects like Marti and this one that are stalled or overbudget, to actually get out there and see what's going on, and you know, adding a little more to what we're doing and --

Chairman Flanders: Well, the City has mobile video facilities, and while that might put a -- give them a larger task than they have presently, I think it's a great idea. I know that, if you'll recall, as the Audit Committee, we have met in the Orange Bowl several times, and we have met in several places, but I would support that, and if you -- you know, we can request CIP to put that in the hopper, and I think it -- actually, it would be excellent, particularly in a finished project or a project that is bogged down. Maybe it will bring all the right minds in the right place. Thank you, Walter.

Mr. Harvey: Thank you, Mr. Chair.

III. NEW BUSINESS:

NEW ITEMS

1. Marine Stadium Marina Above-Ground Fuel Tank

<p>NAME OF PROJECT: <u>MARINE STADIUM MARINA ABOVE -GROUND FUEL TANK/DISPENSER INSTALLATION</u></p> <p>TOTAL DOLLAR AMOUNT: <u>\$60,000</u></p> <p>SOURCE OF FUNDS: <u>Citywide Waterfront Improvements</u></p> <p>ACCOUNT CODE(S): <u>CIP # 326015</u></p> <p>DESCRIPTION OF PROJECT: <u>The scope involves the purchase and installation of a 2,000 gallon above ground fuel storage tank for the Marine Stadium Marina.</u></p>

HD/NIB MOTION 06-18

A MOTION TO APPROVE THE AUDIT COMMITTEE'S RECOMMENDATION TO FUND THE MARINE STADIUM MARINA ABOVE-GROUND FUEL TANK.

MOVED: G. Reshefsky
SECONDED: K. Apfel
ABSENT: E. Broton, L. Pierre, J. Reyes, M. Reyes

Note for the Record: Motion passed by unanimous vote of all Board Members present.

2. Brickell Streetscape Project

NAME OF PROJECT: BRICKELL STREETSCAPE PROJECT
TOTAL DOLLAR AMOUNT: \$1,360,197 (only \$225,000 is from Downtown Infrastructure Improvements)
SOURCE OF FUNDS: Downtown Infrastructure Improvements
ACCOUNT CODE(S): CIP # 341210
DESCRIPTION OF PROJECT: Enhancements to Brickell Avenue between SE 15 Road and SE 25 Road which includes decorative crosswalks, ADA ramps and decorative fountains.

HD/NIB MOTION 06-19

A MOTION TO APPROVE THE AUDIT COMMITTEE'S RECOMMENDATION TO FUND THE BRICKELL STREETSCAPE PROJECT.

MOVED: W. Harvey
SECONDED: L. De Rosa
ABSENT: E. Broton, L. Pierre, J. Reyes, M. Reyes

Note for the Record: Motion passed by unanimous vote of all Board Members present.

3. Additional Funding for Little Haiti Park Soccer & Recreational Facilities

NAME OF PROJECT: LITTLE HAITI PARK SOCCER FIELD
TOTAL DOLLAR AMOUNT: Additional HDNIB funding request is \$759,529 (Previously Approved \$6.144M HDNIB on November 10, 2005)
SOURCE OF FUNDS: (Little Haiti Park Land Acquisition & Development), The difference is funded from Impact fees, Miami Dade G.O.B and miscellaneous revenues from General Funds Contribution.
ACCOUNT CODE(S): CIP # 331412
DESCRIPTION OF PROJECT: Additional scope of work and change orders will be presented at the meeting.

HD/NIB MOTION 06-20

A MOTION TO APPROVE THE AUDIT COMMITTEE'S RECOMMENDATION TO FUND THE ADDITIONAL FUNDING FOR LITTLE HAITI PARK SOCCER & RECREATIONAL FACILITIES.

MOVED: G. Reshefsky
SECONDED: L. De Rosa
ABSENT: E. Broton, L. Pierre, J. Reyes, M. Reyes

Note for the Record: Motion passed by unanimous vote of all Board Members present.

UPDATES:

1. Black Police Precinct & Museum Restoration

Jim Brittain, CIP Department, reported that the Parks Department, Grants Department, and Employee Relations Department wanted to make a few changes on the interior of the facility to make it more usable in the future. Because of those changes, the project completion date was extended to June 2007. The extension is primarily due to replacing one of the interior fixed walls with a folding partition wall and the timeline required to design and install that equipment. There may not be enough money to cover the entire cost of the change. Robert Ruano, with the Grants Department, has been working with Employee Relations and Parks, to provide some monies to help cover the additional cost on the project.

Gary Fabrikant, CIP Department, stated that, at this time, the Department does not envision using any additional bond dollars for this project.

2. N.E. 2nd Avenue Improvements-Design Services

Jose Lago, CIP Department, reported that the scope of work includes road improvements on a new corridor along Northeast 2nd Avenue between Northeast 20th Street and Northeast 87th Street. The engineering designer DMJM & Harris. The engineering firm is currently performing a comprehensive analysis, which is expected to be completed by the end of September 2006, and the design will begin by October, and hopefully, will be completed by March 2007. Construction is expected to begin July 2007.

Gary Fabrikant, CIP Department, stated that the project is not tied into the streetcar project.

3. Buena Vista East- Design Services

Jose Lago, CIP Department, reported that the scope of work includes roadway milling and resurfacing, widening sidewalks, construction of ADA ramps, new raised curbs, driveway approaches, sidewalk repair, and new drainage. The locations are Northeast 42nd to 48th Streets between North Miami Avenue and Northeast 2nd Avenue, also Northeast 1st Avenue between Northeast 42nd Street and Northeast 48th Street, and lastly, Northeast Miami Court, Northeast Miami Place, and Northeast 1st Court between Northeast 47th Street and Northeast 48th Street. The engineering designer is Marlin Engineering. The design is about 90 percent completed. Design completion is expected in October 2006, and construction will start by July 2007.

4. Miami Watersports Complex – Hangar Improvements

John De Pazos, CIP Department, reported that the project is nearly complete. The only pending items on the project are the installation of an overhead door and some minor landscaping in the front of the hangar facility. Completion of these items is anticipated by the middle of next month.

5. Ballet Gamonet at the Alfred I. Dupont Building

Chairman Flanders: OK. Ballet Gamonet at the Alfred I. Dupont Building.

Gary Fabrikant: I'll give the update on that one.

Chairman Flanders: OK, Gary.

Mr. Fabrikant: Ballet Gamonet was first brought before the Board about three years ago, and a grant in the amount of \$300,000 was approved using District 2 Neighborhood Quality of Life

funds. That project then got put on hold due to internal issues within Ballet Gamonet. They came back about a year ago to us to say they were ready to move forward again. One of the problems they had is they were originally in the Dupont building, and they find that just did not work for ballet dancers when you had columns in the middle of the floor, so they found a new site. We're ready to move forward with renovating that site. We worked out a new agreement with them. We came back before this Board and had it reapproved. We started moving forward with them to make it happen. It has again fallen apart, where they have not been able to move forward on their side of it. We discussed this issue with the Commissioner from District 2. They have asked for a little bit more time in dealing with Ballet Gamonet on their own to try to resolve the issue to get it moving before they make a decision on reallocating the funds.

Luis Cabrera: Gary, I have a question for you. Are we lending them -- is -- they're borrowing this money, or --? I mean, is the City in the business of --?

Mr. Fabrikant: It's a grant.

Mr. Cabrera: It's a grant that we're --

Chairman Flanders: It was for leasehold improvements to allow them to practice and to have a home.

Mr. Fabrikant: Correct.

Mr. Cabrera: But are we going to generate any funds? Are they going to generate funds back for the City?

Mr. Fabrikant: No.

Mr. Cabrera: So we're --

Mr. Fabrikant: This is a help to get them basically -- their program -- expand their program and really get it up and running and moving again.

Chairman Flanders: This was Commissioner Winton's quality of life discretionary funds.

Mr. Fabrikant: Correct.

Mr. Cabrera: I figured that this was a project that was going to bring back to the community activities that would fund itself and fund back the City for having provided this money.

Mr. Fabrikant: The only thing it brings back to the community is the economic vitality it brings by being able to provide ballet in the inner city.

Gary Reshefsky: Gary, was this moved out of the first series and swapped into the second series?

Mr. Fabrikant: It is now, yes. Because the simple fact is it's not moving forward at any time soon.

Mr. Cabrera: And by holding this, Gary -- I know you're going to deal with that issue later -- is this penalizing the City for not using this money and then we look bad in front of the Feds for not using this money?

Mr. Fabrikant: No. We have reallocated the money, so the money will get spent. This just moves to a potential project within the second series.

Mr. Cabrera: Let me just say this, and I'll be quiet after this. It really concerns me, as a board member, and I've brought this issue up before, and I think you emphasized my concern today. I mean, shame on us once, shame on us twice. I don't see why we keep, you know, pushing stuff that -- I mean, we're -- it sounds to me -- and I hope I'm wrong -- that we're doing someone a favor, and we're trying to negotiate on good terms, and today I brought up numerous issues that we keep getting burned on. I mean, guys, come on. Let's wake up.

Kay Hancock Apfel: So, in other words, if I understand correctly, there's been no funds spent on this?

Mr. Fabrikant: There have been no funds spent at all.

Ms. Hancock Apfel: The -- I think his point is well taken. There should be a time frame in some of these because I know that this company's had some problems internally and all that, but that's not the problem of the City; that's their internal problem. But I agree with you. How long do you just hold it for them? That's the key. Until they say we don't want it or now we do?

Mr. Fabrikant: Well, again, it's District 2 quality of life funds.

Ms. Hancock Apfel: So it's not really coming from our --

Mr. Reshefsky: Yeah, but Kay, it's a good point because the Safe Neighborhood Parks -- and Ed's here. He'll tell us -- confirm it, but they put like a time limit on when you -- how long you have to spend money on projects, otherwise you lose it, and it goes back into the pool.

Rolando Aedo: Well, just about every grant has that time requirement, and I think -- and I must go on the record. As much as I love the arts and I do think culture brings an incremental benefit, in terms of quality of life for both residents and visitors, I did vote "no" against this one because I, philosophically, didn't feel that we should be in the grant-giving business --

Mr. Cabrera: Thank you.

Mr. Aedo: -- and I kind of envision the bond dollars always being as, you know, we're buying. It's a capital item, and you know, we have, you know, something to show for it at the end of the day, and this was much less tangible. I obviously didn't win the day, but in light of what's going on and the time -- I mean, \$300,000 not -- coincidentally, that's the amount of money that we -- I don't want to say wasted, but --

Mr. Cabrera: We wasted on design and --

Mr. Aedo: -- some cost in the Roberto Clemente Park.

Ms. Hancock Apfel: Exactly.

Mr. Aedo: But Gary -- but clarify because I think I may have heard two different things. The funds have been reallocated or have not been reallocated?

Mr. Fabrikant: They have been reallocated.

Mr. Aedo: OK, they have been.

Mr. Fabrikant: If the funding becomes available, it would be in second series.

Mr. Aedo: OK, but -- OK, so if they have been reallocated, will this issue go again before this Board, before this Commission if someone decides that they want to entertain this proposal again?

Mr. Fabrikant: Yes. We will have to bring it back before the Board again because there would be changes in the agreement again, so, yes, we would have to bring it back before this Board.

Mr. Aedo: OK.

Mr. Cabrera: Gary, I would like to make motion.

Chairman Flanders: Share the motion.

Mr. Cabrera: I want to make a motion. I think that this Board has been considerate enough. We've listened to this for the last two years, and I think we've songed and danced this enough. I want to make a motion that we take a vote if we're going to approve this project or not at this time and deal with this issue now.

Chairman Flanders: If I may. If you want to frame a motion that says that --

Mr. Aedo: We rescind our approval.

Chairman Flanders: -- whereas this was signed on June 19, 2003, it is three-plus years -- and Gary, you brought out a really great point about safe parks and neighborhoods. If it doesn't happen within a certain amount of time, myself, as Chair, I'd be happy to entertain a motion that any project that is not completed within a -- or substantially in work within a three-year time frame, that the project is defunded; the money goes back into that Commissioner's quality of life. So -- I mean, I would entertain that.

Mr. Reshefsky: Yeah. I think it's a great idea.

Mr. Cabrera: I second.

Ms. Hancock Apfel: And I would second.

Chairman Flanders: No, no. I'm not make -- I can't make the motion.

Mr. Cabrera: Make it, make it. Come on. Make the motion.

Mr. Fabrikant: Well, let me -- if I can interject here a little bit. I would be a little cautious on putting a specific time frame on completing projects without further research, and the reason I --

Chairman Flanders: No. I said substantially in work --

Mr. Fabrikant: Because -- well, it depends --

Chairman Flanders: -- after it's been approved.

Mr. Fabrikant: -- on the project. If we're talking -- let me use one of the largest projects we have. Let's take a look at Grapeland Park.

Mr. Reshefsky: I'd rescind that one too.

Mr. Fabrikant: Grapeland Park is a project that would take more than the three-year time frame, but --

Chairman Flanders: But the work has started.

Ms. Hancock Apfel: But money has been spent.

Mr. Aedo: The work's started.

Ms. Hancock Apfel: The work --

Mr. Fabrikant: Oh, you're saying just started.

Mr. Cabrera: Yeah.

Ms. Hancock Apfel: Exactly.

Mr. Fabrikant: Oh, OK.

Ms. Hancock Apfel: The -- yes.

Mr. Cabrera: This has been sitting on the Board. That's what he meant.

Ms. Hancock Apfel: I'm talking about --

Mr. Cabrera: Nothing has been done for three years, nothing.

Ms. Hancock Apfel: Yes. What we're saying --

Mr. Fabrikant: You're talking about no expenditure at all.

Ms. Hancock Apfel: -- is zero.

Chairman Flanders: Yeah, and in this case, due to unfortunate circumstances, we have a whole new Commissioner in the district --

Mr. Cabrera: Yeah.

Chairman Flanders: -- who may or may not have the same level of support, and quite frankly, I think we ought to untie their hands, but that's my personal opinion, but I'm, you know, willing to entertain a motion. Mr. Reshefsky.

Mr. Reshefsky: No. It's Luis's motion to rescind the approval of the -- of this project. If you want to make it a blanket, you know, thing, like you stated, that's fine. I don't have a problem with it. I agree with that, if Luis wants to do that.

Mr. Cabrera: I agree with that.

Chairman Flanders: Yeah. I think a blanket thing --

Mr. Reshefsky: I'm not going to make the motion on this particular item because --

Mr. Cabrera: I'll make the --

Mr. Reshefsky: -- the Commissioner that appointed me supports the project.

Mr. Cabrera: -- I'll be brave, and I'll make the motion that --

Mariano Cruz: And I'll second it.

Luis De Rosa: Second.

Mr. Cabrera: -- Bob -- on Bob's comments, that we make that type of motion, so if you want to repeat it, Bob -- I don't remember it.

Chairman Flanders: I can't frame the motion. I'm the Chair.

Mr. Aedo: Let me take a crack at it.

Walter Harvey: Just -- oh.

Mr. Reshefsky: Walter --

Mr. Harvey: No, go ahead. Go ahead, go ahead.

Mr. Aedo: Oh, I'm sorry. Walter -- there you go.

Mr. Harvey: No, go ahead. Go ahead, then I have a comment about the motion.

Mr. Aedo: OK, a friendly amendment?

Mr. Harvey: Yeah, go ahead.

Mr. Aedo: A motion that any project that has been approved by this Board whose work has not commenced in a time period --

Mr. De Rosa: Of three years.

Mr. Aedo: -- of three years, that our approval is rescinded. I mean, again, it's a little clunky, but --

Ms. Hancock Apfel: I think it's clear.

Mr. Aedo: -- so that's -- any additional comments or friendly amendments or --?

Mr. Harvey: You know --

Chairman Flanders: Well, first, we need a second.

Luis De Rosa: Second.

Chairman Flanders: OK. Now we have a second. Now we can have a discussion.

Mr. Cruz: Discussion, discussion.

Mr. Harvey: Well, the discussion -- one of the major problems that's coming to my mind was the fact that this project had been approved and now this person has an expectation for this funding, so somehow, we have to put them on notice that they need to spend this money or they're going to lose it. You know, for projects that are coming forward right now, if we tell them, in three years, if you don't spend this money, we're going to defund you, I think there's -- you know, obviously, they're on notice, but for the projects that have already been funded, I think somehow we need to put them on notice that this defunding is going to take place.

Ms. Hancock Apfel: Well, I believe that any cultural organization that gets any type of grant and has not spent it or done anything according --

Mr. De Rosa: Something is wrong.

Ms. Hancock Apfel: -- to the grant requirements --

Mr. Harvey: I agree.

Ms. Hancock Apfel: -- in three years, it would have been rescinded before then, so I don't have any problems at this point.

Mr. Cabrera: They've turned it down twice. I don't know if you're aware. They've turned it down twice because of their own internal issues, so the City's not really rescinding anything.

Ms. Hancock Apfel: Exactly. They've done it.

Mr. Cabrera: It's just the fact that they're not acting on the monies provided, and we need to make a decision.

Chairman Flanders: Right. The money, in a sense, would go back to the Commissioner's quality of life funds --

Mr. De Rosa: Yeah, but --

Chairman Flanders: -- and now in the second tranche. Luis.

Mr. De Rosa: And in consideration to the former Commissioner, maybe we can ask this group to come before this Board and to further explain themselves either at the next meeting or within, you know, 60 days, and at that time, we'll give them enough time to really consider their project, if, in fact, they can do it.

Chairman Flanders: But that's not what we're discussing with this motion.

Ms. Hancock Apfel: Because if it goes back to the Commissioner's quality of life and they do get it together, then they can come back to the --

Rafael O. Diaz: Mr. Chairman.

Ms. Hancock Apfel: -- current Commissioner or the one --

Mr. Cabrera: I think Rafael has something.

Ms. Hancock Apfel: -- that's going to be elected.

Mr. Diaz: Yeah. Could you state that --? I wasn't here when you stated it. Would you state the motion -- what the motion is?

Mr. Aedo: The motion was that for any project that has been approved by this Board, but that work has not commenced for a time period of three years, then that this Board's approval -- not that the City might decide to do otherwise -- would be rescinded.

Mr. Diaz: But, in practice, how can that happen? If you've already approved the project and the Commission, afterwards, allocated the money for that project, what -- you know what -- you've already made your recommendation originally, and the Commission has acted, so what --

Mr. Reshefsky: I don't think the Commission acted on this.

Mr. Aedo: No. We understand that.

Mr. Diaz: -- how can you rescind anything?

Mr. Aedo: We understand that, but we, as a Board, feel -- and it might be independent what the City Commission or the City Attorneys feel -- that our approval was based on the good faith that this was a project that had its act together, for lack of a better word; was going to commence in a reasonable time frame, and three years for a project not to have commenced at all is what most people, including ourselves, would think is unreasonable, so --

Mr. Cabrera: Rafael, in two years, they've told the City, we can't -- we're not able to do it, twice, from what we -- the information we got, and so, at this point in time, the Board would like -- made a motion where this -- these funds -- we should afford that Commissioner and the area, since they have not acted on this and we have seen no progress in three years, that these funds can be used for other projects that may be better used within that community.

Mr. Diaz: Well, I think you can make that recommendation to the Commission that the funds on a particular project have not been used be reallocated by the Commission, but I don't think -- the effect of your motion, as stated, I don't think it would be any honestly because you're rescinding what the Commission has already acted on.

Mr. Cabrera: No. We're rescinding on what we approved.

Mr. Aedo: We're rescinding what we acted on --

Mr. Diaz: I understand.

Mr. Aedo: -- and it wouldn't be the first time that our motion --

Mr. Diaz: Remember, your --

Mr. Aedo: -- hasn't had an effect, so --

Mr. Diaz: -- act was only a recommendation to the Commission. Once the Commission acted, your act is already --

Mr. Cabrera: And now --

Mr. Diaz: -- in essence, moot because now --

Mr. Aedo: No. We fully understand that.

Mr. Diaz: OK.

Mr. Cabrera: Right, and now we're recommending --

Mr. Aedo: And if anything, it's --

Mr. Cabrera: -- to --

Mr. Aedo: -- a motion in principal, but -- because the net effect may not change, but in this particular case, it may allow the Commissioner -- the current Commissioner, who may or may not be the current Commissioner, I guess, what, two months from now, to -- they can still entertain the same party. There may not be a net effect to what we're saying today. We're just -- we're sending a message strongly to any project it's been three years and there has been no progress on there.

Mr. Diaz: That is your prerogative, but I think --

Mr. Cabrera: We're not -- in other words, what he's saying, we're --

Mr. Aedo: OK, then let's take a vote.

Mr. Cabrera: -- no longer putting our support behind the project.

Mr. Diaz: But I think --

Chairman Flanders: Yeah.

Mr. Diaz: -- it would be much more effective if you acted in an individual way, in other words, project by project, and recommended that that project, as existing on that date, once it's been, you know, the money's been there two or three years, then that project be acted upon again by the Commission, rather than a blanket proposition.

Mr. Cabrera: OK.

Chairman Flanders: Rafael, I'm not an attorney, but we do have two attorneys on the Board. I'd like to point out, of the nine members that are here, six are original board members, and I'm going to say that our maturity has grown commensurate with the time that we have served on this board, and we have a much better sense of what does work and what does not work. Clearly, this particular project -- and we're not demonizing this project. I have no desire in that. I share Gary Reshefsky's comments -- the sentiment of his comments, but I think this Board is well within its rights to lay down the law because the Mayor, when he asked me to volunteer and then he made me his Chair, he said this board is whatever you want to make it; it's whatever this board decides. Now, with our maturity and time and place, I think it's absolutely abhorrent to me that we would approve a project, nothing would happen in three years, and that there should be an automatic mechanism that kicks our approval to "no," and at that point, the Commission can deal with our recommendation, but by God, they have something in their hands that says, hey, nothing has happened. Here is -- this is the oversight. This is the job of this board.

Mr. Reshefsky: Mr. Chairman, I think -- and Rafael, you know, I don't know if you agree or not -- but this may be an ordinance that would need to be brought to the Commission, as part of the Bond Oversight Board, that says that this resolution that the Commission passed, like other types of things in the City, like plats, expire if there's no action on them after a period of time.

Mr. Diaz: That is a different set of circumstances. If you bring it in as an ordinance amending your ordinance, then you have basis to do it.

Mr. Reshefsky: So that might be a recommendation --

Mr. Diaz: If you don't, I don't think--

Mr. Reshefsky: -- that we make to the Administration to bring an item before the Commission in the form of an ordinance, and the second way to deal with this particular item is to also ask the Manager to put this item on the Commission agenda so that it's also brought before the Commission, so it might be two things.

Ms. Hancock Apfel: Well, what we really are saying, we can do it issue by issue, like what we've recommended here, or we do it globally.

Mr. Diaz: If you do it globally, I would recommend an amendment to the ordinance because, otherwise, you will have no effect.

Ms. Hancock Apfel: Exactly, but are you saying would we have -- we would be in -- within our rights if we rescinded on this particular --

Mr. Diaz: I don't believe the -- your ordinance, as currently constituted, will give you that right --

Ms. Hancock Apfel: OK.

Mr. Diaz: -- to rescind what -- an approval that you already made.

Ms. Hancock Apfel: So we'd have to go before the Commission.

Mr. Reshefsky: And I think you might want to do both because, to Walter's point, you're not really giving these people notice unless you also put them on the agenda, the ballet, so you handle the ballet and then you handle the global issue separately. You do it at the same time.

Mr. Harvey: Mr. Chair, I know there's a motion and a second on the floor, but Mr. Reshefsky's recommendation, I would support, so if that motion and second could be withdrawn, I would certainly support his recommendation if it's put in the form of a motion.

Chairman Flanders: Mr. Reshefsky.

Mr. De Rosa: Gary, which is?

Mr. Aedo: What was that?

Mr. De Rosa: Say it again.

Mr. Aedo: Gary, can you repeat the recommendation?

Mr. Reshefsky: I suggested that we create -- we ask the Manager to create -- or the City Attorney to create an ordinance that would go in the Bond Oversight section of the Code, which would rescind the Commission's approval and send any item back to this Board if it's not acted on -- in the way you framed it -- within a three-year period, and the second motion would be to have this ballet issue reconsidered by the Commission, as well.

Chairman Flanders: OK, then that would depend on the person who made the motion and the second to withdraw.

Mr. Cabrera: I rescind my motion, my initial motion.

Mr. De Rosa: I withdraw.

Chairman Flanders: OK. That has been done. Would you like to --? And by the way, Rafael --

Mr. Diaz: Yes, sir.

Chairman Flanders: -- you've got some meat tonight, so you can probably, you know, draft out the change in the ordinance, so finally we give you some good work. Anyway, Gary, go ahead.

Mr. Reshefsky: I make the motion as I just stated a moment ago.

Mr. Aedo: Second.

Ms. Hancock Apfel: And I second. OK.

Chairman Flanders: OK. Further discussion?

Mr. Cabrera: So there's two motions?

Chairman Flanders: No. There's a single motion. We haven't made the second one yet.

Mr. Cruz: I will vote along with the Board making sure they specify there the monies that are rescinded or defunded stays in the district.

Mr. Reshefsky: Well, it has to.

Chairman Flanders: Well, Mariano, I'm not an attorney, but I do recall one legal term, and it goes something like this: Time is of the essence, and I think that the citizens, when they voted on this in 2001, thought that the money was going to spent fairly quickly because, after 25 years of deferred everything in the City, it was about time. Anyway, we have a motion. We have a second. Any further discussion? All in favor?

The Board Members (Collectively): Aye.

Chairman Flanders: Motion carries.

HD/NIB MOTION 06-21

A MOTION DIRECTING THE CITY ATTORNEY TO AMEND THE ORDINANCE IN THE BOND OVERSIGHT SECTION OF THE CODE TO INCLUDE A PROVISION WHICH WOULD RESCIND THE COMMISSION'S APPROVAL AND SEND BACK ANY PROJECT TO THE BOARD THAT HAS NOT BEEN COMPLETED OR SUBSTANTIALLY IN WORK WITHIN A THREE-YEAR PERIOD.

MOVED: G. Reshefsky
SECONDED: R. Aedo
ABSENT: E. Broton, L. Pierre, J. Reyes, M. Reyes

Note for the Record: Motion passed by unanimous vote of all Board Members present.

Chairman Flanders: Gary, would you like to make another motion?

Mr. Reshefsky: Is this about the ballet?

Chairman Flanders: Yeah.

Mr. Reshefsky: No.

Chairman Flanders: OK, then --

Mr. Cabrera: Want me to make that motion? I make a motion that the Board no longer recommends the --

Chairman Flanders: Withdraw.

Mr. Cabrera: -- withdraws the funding for the Ballet Gamonet, and that it's brought back to the area Commissioner for further findings and recommendations on what they would like this project to be or other projects.

Chairman Flanders: OK. Is there a second?

Mr. Aedo: I second that motion.

Chairman Flanders: Any further discussion? All in favor?

The Board Members (Collectively): Aye.

Chairman Flanders: Anyone opposed? Motion carries.

HD/NIB MOTION 06-22

A MOTION WITHDRAWING THE FUNDING FOR THE BALLET GAMONET PROJECT; FURTHER DIRECTING THAT THE PROJECT BE BROUGHT BACK TO THE AREA COMMISSIONER FOR FURTHER FINDINGS AND RECOMMENDATIONS.

MOVED: L. Cabrera
SECONDED: R. Aedo
ABSENT: E. Broton, L. Pierre, J. Reyes, M. Reyes

Note for the Record: Motion passed by unanimous vote of all Board Members present.

6. Initial Grant to Miami Museum for Development of Fine Arts Museum Facility In Bicentennial Park

Gary Fabrikant, CIP Department, reported that the grant was originally in the amount of approximately \$700,000. The grant is for reimbursement of funds for planning development and project management activities related to the construction of the Miami Museum to be located at Bicentennial Park. To date, reimbursement has been made in the amount of \$457,805. The latest action taken on this project is that, on September 14, the design firm, Herzog & De Meuron, were hired for the new museum.

7. Initial Grant to Miami Museum of Science for Development of a Science Museum Facility in Bicentennial Park

Gary Fabrikant, CIP Department, reported that \$288,000 has been paid to date on this project. The Museum has requested to appear before the Board in October to request their next installment of funding to select their design firm.

8. Athalie Range Park – Mini Stadium Complex

Marcel Douge, CIP Department, reported that the project consists of reconfiguring the fields into football and soccer fields, new bleachers, a storage area, ADA compliant walkways and irrigation. The project is approximately 75 percent designed and design completion is scheduled for completion in January 2007.

9. Athalie Range Park Swimming Pool Improvements

Ed Herald, CIP Department, reported that the project has encountered a number of problems. There are air voids under the swimming pool. When some of the pipes were exposed, decrepit pipes were encountered and those changes are being addressed. The project will go through some redesigning to address some of the repairs that are going to be needed. In order to maintain the current budget, the Department is looking at swapping out some of the existing scope of work so that the budget can be maintained. The roof is now included as part of the scope of work, and the Department feels that the roof tile can be salvaged, so this is one of those projects that unearthed a number of problems.

10. MiaMarina Pier 5 Dock Emergency Repairs

Marcel Douge, CIP Department, reported that the project is in design. The scope of work includes replacement of approximately 310 linear feet of decking, fiberglass grating and piling. The project has obtained preliminary DERM approval and is now being reviewed by the Building Department for final approval. The design is approximately 95 percent complete, and completion is expected in November 2006. The project is currently in budget.

Stephen Bogner, Public Facilities, stated that the scope of work includes the removal of the decking of approximately 20 slips at the commercial docks at MiaMarina that have become structurally unstable. The permitting is close to final approval. The slips are currently being used. However, a couple of vessels were relocated out of two slips where the problems were significant. The design, engineering, and permitting work is being done by Coastal Systems International.

11. Douglas Park Recreation Building Renovations- Design Services

Marcel Douge, CIP Department, reported that the design plans are 60 percent completed, and design completion is expected in January 2007.

12. Antonio Maceo Park New Community Building

Ed Herald, CIP Department, reported that the project is under construction. It is a 5,300 square foot building. All of the foundations are in place; concrete block is in place, and trusses are being built. The project is on schedule and on budget.

13. Kinloch Park Community Recreation Building

Ed Herald, CIP Department, reported that the project scope includes approximately 1,500 square feet of building addition. The project is 90 percent complete and finishing touches are being put on the interior finishes and finishing up the miscellaneous site work. Substantial completion is expected next month.

14. City of Miami MMPD Fire Suppressor Modifications

Marcel Douge, CIP Department, reported that the project has two phases. Phase I was for the replacement of the Halon gas. The Fire Department requested that a second means of fire suppression be provided through a dry sprinkler system. Phase I is completely designed and awaiting final approval. Phase II requires the hiring of a design consultant to design the dry sprinkler system. The project is on time and in budget.

15. Henderson Park New Bathroom Building

Marcel Douge, CIP Department, reported that the project design is 100 percent completed and the Department is awaiting a decision on how to proceed with the construction.

V. CHAIRPERSON'S OPEN AGENDA:

Chairman Flanders stated that the Board reached a milestone with \$101 million spent of the original bond issue.

Chairman Flanders: I'd like to bring your attention to an item which has evidently been disseminated publicly and widely by a person who is a member of the Florida Bar, and this person is running for City Commission, but I don't even want to mention him by name, but to say that the statements that this person has made in a question and answer when the Bond Oversight Board came up are created out of thin air, and they are completely inaccurate. The allegation made in this is that the Bond Oversight Board overseeing the spending has not been able to vote for many months due to a lack of quorum. We had a lack of quorum in June and July, and we're closed for business in August, and I don't think that's many months, and in any case, the business before this board during those two months was one single item, which we voted on today. It did not hold it up going in front of the City Commission. This board has never held a project up by its inability to make or render a decision on a project. That's number one. The next sentence is failure of the Bond Oversight Board to meet is costing the City of Miami thousands of dollars in interest each day. Gary, could you tell us how truthful that remark is?

Gary Fabrikant: No. There's been no delays by the Board in any of its actions. There's been no adverse impact to any of the projects. In fact, an IRS audit was conducted, and there was no negative outcome from that audit.

Chairman Flanders: The next allegation is the problem is that many of the projects move too slowly and they quickly go over budget. I would say -- I mean, since I've been on the Board, that the majority, and I mean the vast majority, have not only come in budget, but they've come -- some recently, in the past year, have come in under budget. The point that he does make, which is -- well, it's just interesting. I would also work to upgrade the quality of the board members. I take a lot of exception to that remark. I've heard all the Commissioners and the Mayor repeatedly say that they thought that this board was one of the best, if not the best in the City, but the quality of the individuals serving on this board, we're members of our community, and we dedicate our time both in the monthly board meeting, as well as on the communication and the audit subcommittees, and we have been doing a good job, and even reminding CIP from time to time that time is of the essence. In any case, I've invited the City Manager to write a letter in response to this, and I will also write a letter to this individual asking where in the world could he have possibly gotten his information inasmuch as it is so completely diametrically opposed to the truth. I will invite my colleagues on the Board to -- you've all had a chance to read this -- make any remark that you would like to add to mine.

Rolando Aedo: Bob, real quickly, because I know it is getting late, and I couldn't agree with you more. I, too, would be very curious to know, based on what these comments are made, and I

know it's election season, so a lot of things are said over the airwaves or in meetings or in stumping areas, but with the one point that I did also take the strongest exception because I do realize that in serving our community you are subject to certain scrutiny, and that goes along with the territory, and I welcome that, but I did take some person exception to the inference in terms of the quality of the board members, which, in my mind, infers the commitment that we have to this City and we all have responsibilities outside of this board and we have lead private lives. We have families to attend to. It's about 8:15 now, and I've got a wife and two kids at home that I'd like to be with, but I also feel it's important that I make a commitment to the City, so I must admit I was a little -- I took strong exception to that, so I'd be very curious to see a response to either the City Manager or to your letter to see what comments he may have in response.

Chairman Flanders: Thank you, Rolando. David.

David Kubiliun: The only comment that I have to make to those comments that I read earlier tonight and that I shared with the Chairman here is that I do take offense to those comments where he is putting down the board members, but at the same time, I understand he's running a political campaign and trying to get that Commission, and if that's -- if those are the levels that he has to stoop to, then so be it. Hopefully, the voters will make the right decisions, and that's -- basically, I'll leave it at that.

Chairman Flanders: Luis.

Luis De Rosa: Yeah. If I may just say, as we all know it, this is -- we're experiencing a -- we're going through a political season, and because of that, people are going to be saying things that are the farthest thing from the truth. I think this board is a high-quality board. There are good people here, professionals, people in their own right who take time away from their families, from their busy schedules, from their work to be here on behalf of the community, on behalf of the City of Miami, and I think we should just take the high road on this one and respond, but keep on doing the work that we're doing, and I'm sure that the City of Miami and the community are realizing the benefits.

VI. ADDITIONAL ITEMS:

Mariano Cruz inquired about the status of the water park project at Duarte Park.

Ed Blanco, Parks & Recreation Department, reported that there is notice for a meeting tomorrow at 10 o'clock for a brief pre-bid conference to select the contractor for the water park. There were issues with the previous contractor and the contracts had to be terminated with the previous contractor for nonperformance. There were issues with Purchasing with piggybacking on the Miami-Dade County contract, which was renewed in May of this year, and then between July and October, the Department was prohibited from opening new purchase orders because of the end of the fiscal year.